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**COUNCIL PAPERS 1698-1700.**

(From the original volume in the Virginia State Library)

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(CONTINUED)

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Geo: Stepney  
M Prior.

For his Majesties especial Service.

For the hon'ble Francis Nicholson Esq?  
his Majesties Lieutenant and Governour General of his Maj-  
esties Colony and Dominion of Virginia in America. Or for  
the Commander in Chief of that Colony for the time being.  
Virginia.

LORDS COMMISSIONERS FOR TRADE AND PLANTATIONS TO  
GOVERNOR NICHOLSON.

Whitehall: August the 21th 1700.

Sir

There are some few things which the Lords Commissioners  
for Trade and Plantations judge useful to be observed in your  
Correspondence, with them, which they have Commanded me  
to signify to you, as foll:

It is convenient for their Office that all papers they receive  
from the Plantations may (as much as possible) be writ in such  
a form that they may hereafter be bound up together and pre-  
served in Bookes. And therefore as they are very well pleased  
with the Transcript you have sent them of some Late Acts of  
Assembly, & of yo<sup>r</sup> journals, in the forme of Ruled Paper which  
was sent you from hence, they desire that yo<sup>r</sup> Letters more es-  
pecially be writ Also in the same manner, either upon large or  
small paper as you think fit.

Whenever you transmit any Papers to them together with yo<sup>r</sup> Letters (which must always be done as occasion requires) they desire yo<sup>r</sup> to send therewith a Seperate List of those papers and not to make yo<sup>r</sup> whole Letters (as some of late have been) as it were one continued Index of them.

When you have several Subjects to write upon, they offer it to your consideration whether it would not be more convenient, both for you & y<sup>m</sup> to divide those matters into two or three Letters, than to mix all together in One. For in that manner you may more easily enlarge upon anything as you find needfull: and they would also be enabled to understand yo<sup>r</sup> Letters as they are read to them, without the trouble of stopping so oft (as they have been sometimes to do) and seeking into those papers for the meaning of what you hint at.

The Naval Officers accounts that you have sent them are very confused and their Lds<sup>ip</sup><sup>s</sup> have therefore commanded me to send you the following observations upon them: That those Accounts may hereafter be made more intelligible and usefull.

They ought to be fairly writ upon paper so ruled that they may be sticked or bound up together, and conveniently Opened & read without tearing, which can hardly be done with these w<sup>ch</sup> are writ upon so many single papers, and joyned together very loosely at y<sup>e</sup> heads.

The mixing of Ships cleared outwards in the same List with Ships entered inwards, renders it very difficult to distinguish (as is requisite) between the one & y<sup>e</sup> other: And it is therefore absolutely necessary that those Lists be kept Seperate, & accordingly transmitted.

The same parcells of Goods entered inwards or Outwards, should not be twice entered & promiscuously mixed with other parcells in two different Accounts; as M<sup>r</sup> Hill has done in his two Accounts of Entries from the 16<sup>th</sup> November 1699 to the 17<sup>th</sup> April 1700; where several of the same parcells Shipt Out in one Account are entred againe as Shipt out in the other, w<sup>ch</sup> is a great Confusion.

All accounts should express the Hogsheads & quantity of Tobacco shipt off; which is omitted by M<sup>r</sup> Allerton, who only mentions that such and such Ships were Laden off with

Tobacco, but expresses not what quantity each Ship carryed.

The number of Hogsheads, and the pounds of Tobacco in bulk, Laden in each Ship, should in all Acc<sup>ts</sup> be entered exactly, & the figures so placed, that the Totals may be added up, which addition ought also to be made & set down by the respective Officers themselves, or the person who copies out their accounts

I am Sir

Your most obedient

humble Servant

W<sup>m</sup>. Popple.

For his Majesties especial Service

For the honbl<sup>e</sup> Francis Nicholson Esq<sup>r</sup>

His Majesties Lieutenant and Governour Generall of his Majesties Colony and Dominion of Virginia in America, Or for the Commander in Chief of that Colony for the time being.

Virginia.

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COMPTROLLER GENERAL OF THE CUSTOMS TO GOVERNOR  
NICHOLSON.

Sir

The Compt<sup>r</sup> Generall of the Accompts of his Maj<sup>ties</sup> Customs having Informed us That he is in want of severall acc<sup>ts</sup> from the Collectors in Virg<sup>a</sup> of the duties of the enumerated goods payable by the Act made in the 25<sup>th</sup> Year of the Reign of King Charles the Second We desire yo<sup>r</sup> Excellencie will please to Cause the said acc<sup>ts</sup> to be made up & transmitted to us from the time that these duties were granted by his Maj<sup>ties</sup> Royall Charter for & towards the Erecting & mainteyning a ffree School & Colledge in Virginia And that you will likewise Charge y<sup>e</sup> respective Collectors to make up their acc<sup>ts</sup> for the time to come quarterly & Inclose y<sup>m</sup> to us by the first opportunity next after each respective quarter We are

Yo<sup>r</sup> Excellencies

Most humble Servants

T Newport

Sam Clarke

Benj: Overton

Rob<sup>t</sup> Henley

Custom house Lond'o

5 Septemb<sup>r</sup> 1700.

For His Excellency

Colon'l Francis Nicholson

Governour of his Maj<sup>ty</sup>'s Colony

of  
Virginia.

p James Fowler

AGREEMENT BETWEEN ENGLAND AND ALGIERS IN REGARD TO  
ENGLISH SHIPS.

Sir Whitehal December the 3<sup>d</sup> 1700

We send you here Inclos'd a Copy of an Agreem<sup>t</sup> lately made by Captaine Munden and Consul Cole with the Govern<sup>t</sup> of Algier, by w<sup>ch</sup> all English Merchant Ships are Exempted from being molested by the Algerines, on acc<sup>t</sup> of their not having Passes, until the End of Septemb<sup>r</sup> 1701, but after that time (if not provided with such Passes) will be liable to be carried up to Algier, and have their Lading Confiscated; And we desire you thereupon to take care that due notice be given thereof in yo<sup>r</sup> Govern<sup>t</sup> that all persons concern'd may thereby have opportunity to provide themselves with Admiralty Passes for their Security in that occasion according to the Instructions that that have not long since been sent to you by the Lords Comm<sup>rs</sup> of the Admiralty with passes to be distributed accordingly. And in case you find occasion for a greater number of passes than you have yet rece'd you will do well to apply yo<sup>r</sup>self in time to the Lords of the Admiralty that you may be accordingly furnished with them. So we bid you heartily farewell.

Your very Loving Friends

Stamford.

Lexington.

Ph: Meadows.

John Pollexfen.

Ab<sup>r</sup> Hill.

Geo: Stepney.

Mat Prior.

For his Majesties especial Service.

For the Hon<sup>ble</sup> Francis Nicholson Esq<sup>r</sup> his Majesties Lieutenant and Governor General of his Majesties Colony and Dominion of Virginia in America. Or for the Commander in Chief of that Colony for the time being. Virginia.

First. Wee the most Excellent and most Illustrious Lords Mustapha Dey, Ali Bashaw, and Mustapha Aga, Governours of the most famous and Warlike Citty and Kingdome of Algier, do by these presents renew and confirm the Peace Wee so happily enjoy with the King of Great Brittain France & Ireland Defender of the Christian ffaith, and his Subjects, made in the year 1682 in every part and Article more particularly that of the 8<sup>th</sup>, wherein it is exprest that no Ship or Vessell belonging to our Governm<sup>t</sup> of Algier, shall cruise near or in sight of any of the Roads, Havens or Ports, Towns or places belonging to the said King of Great Brittain, or any ways disturb the Peace and Commerce of the same. And in compliance w<sup>th</sup> the Eighth Article of that Treaty, Wee do sincerely promise and declare, that such Orders shall for the future be given to all our Commanders, that under a severe penalty and our utmost displeasure, they shall not enter into the Channell of England nor come or Cruise in sight of any Part of his Majesty of Great Brittain's Dominions, any more for the time to come.

Secondly. That whereas Wee had declared that all Ships & Vessels belonging to the King of Great Brittain should have passes by the last of September 1700, Wee do by these declare at the desire of Captain John Munden Commander in Chief of his Majesties Ships in the Mediterranean, and Rob<sup>t</sup> Cole Esq<sup>r</sup> his Maj<sup>ties</sup> Consul now residing at our Citty of Algier on behalf of their Great Master, that no Passes shall be required or expected from any of the English Ships or Vessells in any part of the World, but that they shall proceed on their Voyage without producing or showing a Pass to any of our Cruisers, till the Last of September 1701, and after that time is expired, and any Ship be seized not having a Pass, Wee do hereby declare that the goods in that Ship shall be restored and y<sup>e</sup> Freight immediately paid to the said Master to the utmost value as he should have had, if he had gone safe to the Port where he was bound.

Thirdly. That whereas Captain John Munden has given us good assurance, that he had a great Affront some years past from some of our Rude Sailors at our Mould. Wee do hereby promise that at all times when ever any of y<sup>e</sup> King of Great Brittain's Ships of Warr, come to this place, Order shall be given to an Officer of the Governm<sup>t</sup> immediately, who shall attend at the Mould all the day time, during their stay here to prevent any such disorder for the future, that no misunderstanding may happen between us, and if any such disorder should happen, the Officer of the Mould shall secure the person or persons, and they shall be punished with the utmost Severity.

Fourthly. By the help of God and if he please these Articles now made between us, shall be maintained, to the truth of which Wee have hereunto Sett our hands and Seals: In the Year of the Haggira 1112, and is the account of the Christians August the 17<sup>th</sup> 1700.

Mustapha Day, Mustapha Aga, Ali Bashaw.

LORDS OF TRADE AND PLANTATIONS TO GOVERNOR NICHOLSON.

Whitehall December the 4<sup>th</sup> 1700.

Sir

Since Ours of the 21<sup>st</sup> August, we have re'<sup>d</sup> Letters from you of the 1<sup>st</sup> and 27<sup>th</sup> of the same month, which containing for the most part only matter of Information, do not require much answer.

You will have seen by our last, that we have proposed Mr. Lewis Burwell to be a member of his Majesties Council in Virginia, and their Excellencies the Lords Justices having approved thereof, We doubt not but Mr. Perry to whom we gave Notice of it, will have taken out the Order of Council for that purpose, and sent it to him. We do not at present proceed to nomination of any other, but whensoever you find the Number of Councillors residing upon the place comes by death or removal to be under Twelve, you will always do well to give us

notice thereof. And therefore, we desire you to send us frequent Lists, as well of the Council in being, as of persons fit to supply Vacancies, with such observations upon each of their names, as you understand to be requisite.

We observe the Orders concerning returns of Acc<sup>ts</sup> to w<sup>ch</sup> you referr us in the 14<sup>th</sup> page of the Council proceedings of the 9<sup>th</sup> & 10<sup>th</sup> of July last; concerning which we have only to remind you of our Desire, signified to you by our Secretary the 21<sup>st</sup> August last, for reforming the Method of your Naval Officers Accounts, and that you take care to transmit unto us regularly all accounts whatsoever in good form, according to yo<sup>r</sup> instructions.

More particularly we desire you to be mindfull of sending home yearly accounts of the Arms, Amunition, and Stores remaining in his Maj<sup>ties</sup> Magazines in yo<sup>r</sup> Governm<sup>t</sup> and to see that it be done accordingly. And having some while since observed that the Council of Virginia have been of Opinion that Forts are of no use for the Defence of that Country; We desire you so much the rather to take care, that the Militia of the said Country be duly regulated & frequently exercised, so as to render them usefull whenever there may be occasion.

Whatever Scruple you may have about entirely concerting affaires (as you express it) with M<sup>r</sup> Penn, or any other Propriety Governours, there can be no objection against yo<sup>r</sup> corresponding & conferring with any of them as occasion offers for his Maj<sup>ties</sup> Service, which, whatever they arrive at, we are well assured will be the end of all yo<sup>r</sup> proceedings; & the Advices & Informations you may thereby be enabled to give us, will be always very acceptable.

Your care in placing the french Refugees that went over with the Marquess De la Muce & Mons<sup>r</sup> De Saily, was very well, and we hope will be an Encouragem<sup>t</sup> to other Refugees to follow; In Order whereunto we have according to yo<sup>r</sup> Desire intimated to some of them, that they will do well to apply themselves to M<sup>r</sup> Perry, for his Assistance in their passage.

As to the care of the Ship Mary Ann which brought the first Refugees to Virg<sup>a</sup> that being properly a buisness under the



direction of the Comm<sup>rs</sup> of the Customes, you have done well to send it to them, and we must referr you to them for Answer.

In y<sup>r</sup> L<sup>re</sup> of the 1<sup>st</sup> August, you referr us to the 8<sup>th</sup> page of the afores<sup>d</sup> Council proceedings to see what was done in Council upon what we had writ you, relating to the Boundaries between Virginia and North Carolina: and having looked accordingly into that matter, we find only that it is referr'd to the Consideration of M<sup>r</sup> Audit<sup>r</sup> Bird and M<sup>r</sup> Attorney General, to make Report to the next Council, so that at p<sup>r</sup>sent we have nothing more to add unto what we writ you the 4<sup>th</sup> Jan<sup>ry</sup> last upon that Subject.

We desire you (as we shall do the Governours of all his Maj<sup>ties</sup> Plantations respectively) that a Memorandum be Entred upon the Council Books, to causion the s<sup>d</sup> Council, y<sup>t</sup> whensoever the Governm<sup>t</sup> of Virg<sup>a</sup> by the death, absence or Removal of a Govern<sup>r</sup> or Lieutenant Govern<sup>r</sup> immediately Comissioned by his Maj<sup>tie</sup> comes to devolve upon a President & the Council of y<sup>e</sup> s<sup>d</sup> Province, the s<sup>d</sup> President & Council do forbear to pass any Acts, but such as are immediately necessary for the peace & welfare of y<sup>e</sup> s<sup>d</sup> Province, without his Maj<sup>ties</sup> Express Order for that purpose. So we bid you heartily farewell.

Your very Loving Friends

Stamford  
Ph: Meadows  
John Pollexfen  
Ab<sup>r</sup> Hill  
Geo: Stepney  
Mat: Prior

**For his Majesties especial Service**

For the Hon<sup>ble</sup> Francis Nicholson Esq<sup>r</sup> his Majesties Lieutenant and Governour General of his Majesties Colony and Dominion of Virginia in America, Or for the Commander in Chief of that Colony for the time being.

Virginia.

THE KING TO GOVERNOR NICHOLSON IN REGARD TO WILLIAM  
AND MARY COLLEGE.

William R.

Trusty and Welbeloved Wee Greet You well Whereas Wee have thought fit that all due Encouragement be given to the College of William and Mary lately founded in our Town of Williamsburgh in Virginia for promoting Religion and Learning in those Parts, Wee do therefore hereby earnestly recommend the same to you, willing and requiring you to do whatever lyes in You for the due encouraging the said College; And in particular that you call upon the Persons that have promised to contribute towards the maintenance of the said College, to pay in forthwith their severall Contributions, to the end so good & pious a Work may be carryed on for the generall benefit of that Country. And so Wee bid You farewell Given at Our Court at Hampton Court the 30<sup>th</sup> day of December 1700, in the twelfth Year of Our Reign.

By his Maj<sup>ties</sup> Comand

Ja: Vernon.

To Our Trusty and Welbeloved Francis Nicholson Esq<sup>r</sup> Our Lieuten<sup>t</sup> and Govern<sup>r</sup> Generall of Our Colony and Dominion of Virginia in America. Or to Our Commander in Chief of our said Colony for the timebeing.

Virginia.

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BY THE COM<sup>rs</sup> FOR EXECUTING THE OFFICE OF LORD HIGH  
ADM'LL OF ENGLAND, IRELAND &C.

Whereas at the request of y<sup>e</sup> Merchants, Planters & Comand<sup>rs</sup> of Ships, Traideing to Virginia and Maryland, Wee have appointed his Maj<sup>ties</sup> Ship und<sup>r</sup> y<sup>r</sup> Comand, to Cruise on the Coast of America, for ye bett<sup>r</sup> freeing y<sup>e</sup> Same from Pyrates, You are therefore hereby required & directed, so soon as she shall be manned, Victualled & ready in all other respects, to proceed on y<sup>t</sup> S<sup>r</sup>vce, According to y<sup>e</sup> ord<sup>rs</sup> Wee have given therein, to Saile w<sup>th</sup> her on y<sup>e</sup> afores<sup>d</sup> Coast of America & Cruise from

Cape Fear about y<sup>e</sup> Lattitude of 34 D and 50 mi North Latt. to Cape May about y<sup>e</sup> Latt. of 39 D<sup>e</sup> and 15 mi North & use y<sup>e</sup> utmost Care & Endeav<sup>rs</sup> to Protect y<sup>e</sup> traide & Commerce in those parts, and to take Sink or destroy any Pyrates y<sup>t</sup> may attempt to Molest y<sup>e</sup> Same in w<sup>ch</sup> Cruize you are not to keep above Twenty Leagues East from the Land, unless you meett w<sup>th</sup> Pyrates; But in regard y<sup>e</sup> m<sup>ch</sup><sup>ts</sup> Concerned think it may very much conduce to their S<sup>r</sup>vice, and have therefore made it their request to us, y<sup>t</sup> you may, as much as Wind & Weather will permitt, Ride in Linnhaven Bay, w<sup>th</sup> in y<sup>e</sup> Capes, whereby you may the bett<sup>r</sup> discover what Ships come in, or go out of y<sup>e</sup> Capes of Virginia, You are to take care to do y<sup>e</sup> same, but not to continue so long at any time there, as to prevent your doing Service on other parts of y<sup>e</sup> Coast w<sup>th</sup> in ye Limitts of y<sup>r</sup> Cruise. And in Case his Maj<sup>ties</sup> Ship y<sup>e</sup> Shoreham, or any other Ship attending on Virginia, shall have Occasion, during the time of y<sup>r</sup> Cruise, to repair to any Distinct Port for a Supply of necessarys, you are to Cruize about y<sup>e</sup> Capes of Virginia, till Such time as the Shoreham return againe, or till it shall be Judged more for y<sup>e</sup> good of y<sup>e</sup> S<sup>r</sup>vice to repair to some other part of y<sup>e</sup> Coast, according to y<sup>e</sup> Intelligences w<sup>ch</sup> you shall receive. And in this, and in all other matt<sup>rs</sup>, You are as often as conveniently as you can, to advise w<sup>th</sup> the Govern<sup>r</sup> of Virginia, and proceed in such mann<sup>r</sup> as shall thereupon be Judged necessary: And likewise to inform y<sup>r</sup>selfe of Affaires from any Person inhabiting along the Coast, as you shall have Opportunitys of doing thereof.

You are also to take especill care y<sup>t</sup> during y<sup>r</sup> being on this S<sup>r</sup>vice, none of your Officers or Company, do molest any of y<sup>e</sup> Inhabitants, but that they do treat them w<sup>th</sup> all civility when theire shall at any time be occasion to send y<sup>r</sup> boat on shoar, or otherwise: Nor are you to permitt y<sup>e</sup> takeing any men from y<sup>e</sup> merchants Ships Traideing in those parts, or from y<sup>e</sup> Land: But in case you shall happen any time to be in want of Men, You are to apply y<sup>r</sup>selfe to y<sup>e</sup> Governour of Virginia who will assist you therein.

You are to continue to Cruize w<sup>th</sup> greatest care & diligence on y<sup>e</sup> Coast of America, as is all ready directed, or in such

mann<sup>r</sup> as according to y<sup>e</sup> Intelligence or Advice you shall receive from y<sup>e</sup> Govern<sup>r</sup> of Virginia, or otherwise shall be Judged may most effectually answer the ends, for w<sup>ch</sup> y<sup>e</sup> Ship you Command is sent to those parts, namely the protecting of y<sup>e</sup> Trade, secureing y<sup>e</sup> effects of y<sup>e</sup> Merchants, or takeing or destroying any Pyrates or others, who shall endeav<sup>r</sup> to Seize or Molest them; And for y<sup>r</sup> better Governm<sup>t</sup> in case you shall happen to Seize any Pyrates, Wee send, you herew<sup>th</sup> an Act of Parliament lately made, in Ord<sup>r</sup> to y<sup>e</sup> bringing y<sup>m</sup> to a Tryall & punishm<sup>t</sup>, w<sup>ch</sup> you are in all respects Strictly to conform y<sup>r</sup> self up to. And when you shall have Cruized to y<sup>e</sup> latt<sup>r</sup> end of September next, you are then to make y<sup>e</sup> best of y<sup>r</sup> way to England, calling in at Spitthead, where if you find not Ord<sup>rs</sup> to y<sup>e</sup> Contrary, you are to repaire to y<sup>e</sup> Downes, and remain there till you receive further directions from this Board.

And for the bett<sup>r</sup> enabling you to execute these Ord<sup>rs</sup>, you are so soon as you shall be out of y<sup>e</sup> Channell, to put y<sup>r</sup> Ships Comp<sup>a</sup> to short allowance of Provisions of Six to foure Mens allowance, or otherwise as the necessitie of y<sup>e</sup> S<sup>r</sup>vice shall require, assureing y<sup>e</sup> Seamen they shall be duly paid for the same.

You are during this voyage, to give Convoy to any other of his Maj<sup>ties</sup> Subjects as you shall meett w<sup>th</sup> bound y<sup>r</sup> way, as shall desire it, as far as y<sup>r</sup> way shall lye together; and by all opportunitys w<sup>ch</sup> shall present to send Us an Acc<sup>t</sup> of y<sup>r</sup> proceedings.

And Whereas There is a Truce made w<sup>th</sup> y<sup>e</sup> People of Salley, you are, in case, you meet w<sup>th</sup> any Ships of that place, to permitt them to pass on their Affaires w<sup>thout</sup> any Molestacon till Such time as you shall receive further Order to y<sup>e</sup> Contrary, Dated at y<sup>e</sup> Admirallty Office this 17<sup>th</sup> February 1700.

J. Bridgewater

G Brooke

To Cap<sup>t</sup> Edward Nevill Command<sup>r</sup> of his Maj<sup>ties</sup> Ship y<sup>e</sup> Lincoln

Portsmouth

By Com<sup>d</sup> of their L<sup>d</sup>s<sup>p</sup>s

J Burchell

Mitchell

Geo Churchill.